

ENTERED

December 14, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. H-17-651(9)
	§	
GRISEL SALAS	§	

REPORT AND RECOMMENDATION

Before the court, by referral pursuant to 28 U.S.C. §636(b), is the matter of the re-arraignment of Grisel Salas, a defendant in this action. The court, having addressed Defendant personally in open court, now submits its Report and Recommendation.

On December 13, 2018, Defendant, Grisel Salas, appeared with counsel before the undersigned magistrate judge for the purpose of entering a guilty plea to Count 18 of the Indictment charging her with conspiracy to harbor, conceal, and shield from detection certain aliens present in the United States in violation of the law, in violation of 8 U.S.C. §§ 1324(a)(1)(A)(ii), (iii), 1324(a)(1)(A)(v)(I), and 1324(a)(1)(B)(i), (iii) (Count 18).

Defendant, Grisel Salas, consented in writing to plead guilty before a United States Magistrate Judge. After conducting said proceeding in the form and manner prescribed by Rule 11 of the Federal Rules of Criminal Procedure, this court makes the following findings of fact:

1. Defendant, Grisel Salas, after consultation with counsel of record and with the approval of the government, has knowingly and voluntarily consented

to be advised of her rights and to enter a plea of guilty before a U.S. Magistrate Judge subject to final approval and imposition of sentence by United States District Judge Gray H. Miller.

2. Defendant Grisel Salas is fully competent and capable of entering an informed plea.
3. Defendant Grisel Salas is aware of the nature of the charges, the maximum punishment range and other penalties that may be imposed at sentencing. She has acknowledged that she understands the Plea Agreement terms.
4. Defendant Grisel Salas understands her constitutional and statutory rights and wishes to waive those rights.
5. Defendant Grisel Salas is aware that pursuant to the Plea Agreement, she is waiving her right to appeal her conviction and sentence, both directly and collaterally.
6. Defendant Grisel Salas understands that the sentencing judge is not bound by any recommendation on sentencing made by either counsel for the government or counsel for the defendant, and that if a recommendation on sentencing is not followed by the sentencing judge, she may not withdraw her plea of guilty.
7. Defendant Grisel Salas's plea of guilty is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense charged in Count 18 of the Indictment.

Based upon the foregoing findings, it is the **RECOMMENDATION** of the undersigned that the guilty plea of Defendant Grisel Salas to Count 18 of the Indictment be **ACCEPTED** by the court and that Grisel Salas be adjudged guilty of the offense alleged in Count 18 of the Indictment, to wit: conspiracy to harbor, conceal, and shield from detection certain aliens present in the United States in violation of the law, in violation of 8 U.S.C. §§ 1324(a)(1)(A)(ii), (iii), 1324(a)(1)(A)(v)(I), and 1324(a)(1)(B)(i), (iii).

The Clerk shall send copies of this Report and Recommendation to the respective parties who have fourteen (14) days from the receipt thereof to file written objections thereto pursuant to Federal Rule of Civil Procedure 72(b) and General Order 2002-13. Failure to file written objections within the time period mentioned shall bar an aggrieved party from attacking the factual findings and legal conclusions on appeal.

The original of any written objections shall be filed with the United States District Clerk electronically. Copies of such objections shall be mailed to opposing parties and to the chambers of the undersigned, 515 Rusk, Suite 7019, Houston, Texas 77002.

SIGNED at Houston, Texas, this 14th day of December, 2018.



U.S. MAGISTRATE JUDGE